

		<b>RAYMOND A. LOVE</b> , Trustee of the <b>FRED S. DEUTSCH TESTAMENTARY TRUST NO. 2</b> , is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Petitioner states the Fred S. Deutsch Testamentary Trust No. 2 was created under that certain Last Will and Testament of Fred S. Deutsch in the <i>Order Settling Second Account Current and Report of Executor and for Third Preliminary Distribution</i> filed 12-15-86 (attached). Petitioner requests the Court take judicial notice as may be appropriate of the Estate of Fred S. Deutsch, Fresno Superior Court Case # 0257636-6.	<u>Note:</u> Petitioner's bond at appointment was set at \$80,000.00 based on property on hand at that time.
	Aff.Sub.Wit.		1. Probate Code § 17201 requires that the petition list each person <u>entitled to notice</u> .
✓	Verified		Petitioner states the <u>sole income beneficiary</u> is Betty L. Andersen of Wilsonville, OR, but does not state that <u>she is the only person entitled to notice</u> per Probate Code § 17203. Need clarification.
	Inventory		2. Betty L. Andersen, the sole income beneficiary, signed a Consent to the appointment of Ms. Kosbie as Successor Trustee, but the Consent <u>does not waive bond</u> .
	PTC		Probate Code § 15602 requires bond except under compelling circumstances, which may include waiver by all adult beneficiaries.
	Not.Cred.		<u>Therefore, need waiver of bond from Betty L. Anderson.</u>
✓	Notice of Hrg		3. <u>If bond is not waived</u> , the Court may require further information to calculate bond pursuant to Probate Code § 15602(c).
✓	Aff.Mail	W	Petitioner provides the current Property on Hand and market value of the assets as \$40,941.36; however, the Court may wish to consider and include income and cost of recovery in the calculation.
	Aff.Pub.		<b><u>If required, the Court will set status hearing on Friday 7-27-12 for proof of bond.</u></b>
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order	<p>Petitioner was appointed on 4-20-94 as the Second Successor Trustee after resignation of the initial Trustee, Wells Fargo Bank, N.A., on 7-20-92, and subsequent resignation of James Ford (first Successor Trustee) on 4-20-94.</p> <p>Pursuant to <i>Declaration of Raymond A. Love Concerning Resignation and Recommendation of Trustee</i> (attached), Petitioner resigns effective upon appointment of a successor trustee and recommends the appointment of <b>GLORIA KOSBIE</b>, a licensed Certified Public Accountant and California licensed fiduciary (resume attached).</p> <p>Petitioner states the total estimated market value of the assets of the Deutsch Trust No. 2 is \$40,941.36. Petitioner requests that Ms. Kosbie be appointed without bond due to the relative small size of the trust, the continuing cost of furnishing bond, and the fact that Ms. Kosbie is a licensed CPA and licensed fiduciary, carrying her own professional liability insurance and business insurance.</p> <p>Consent to Act as Trustee signed by Ms. Kosbie was filed 4-17-12.</p> <p><b>Petitioner requests that:</b></p> <ol style="list-style-type: none"> <li>1. The Court appoint Gloria Kosbie as Successor Trustee of the Fred S. Deutsch Testamentary Trust No. 2;</li> <li>2. The Court determine the amount of bond, if any, that is required by the Successor Trustee under the circumstances; and</li> <li>3. The Court make all further and proper orders that the Court may deem necessary.</li> </ol>	
	Aff. Posting		Reviewed by: skc
	Status Rpt		Reviewed on: 6-1-12
	UCCJEA		Updates:
	Citation		Recommendation:
	FTB Notice		File 1A – Wells Fargo

		<p><b>RAYMOND A. LOVE</b>, Trustee of the <b>DEUTSCH PARK AND BOTANICAL GARDENS CHARITABLE TRUST</b>, is Petitioner.</p> <p>Petitioner states the Deutsch Park Trust was created under that certain <i>Order Settling First Account Current and Report of Successor Administrator with Will Annexed, Approving Deutsch Park and Botanical Gardens Charitable Trust Agreement and Appointing First Trustee Thereof ...</i> filed 9-15-95 (attached).</p> <p>Petitioner at all times mentioned and been and is now the Court-appointed Trustee of the Deutsch Park Trust. The Fred S. Deutsch Testamentary Trusts No. 3 and 4 were terminated and distributed 95% to Deutsch Park Trust and 5% to the Fresno Metropolitan Museum of Art, History &amp; Science Endowment Fund by Order filed 3-6-00 (attached).</p> <p>Petitioner states the Deutsch Park Trust is not subject to continuing court administration; however, pursuant to the 1995 Order:</p> <p><i>"The trustee or co-trustee shall make, or cause to be made, such annual reports, tax returns, and accounts of the administration of the charitable trust, and shall make, and file such reports, returns and accounts, with applicable authorities, and comply with all applicable reporting requirements."</i></p> <p>Said provision has previously been interpreted to mean that, because there is no designated beneficiary to which the Trustee is to report, annual accountings and tax returns have been provided to the <b>FRESNO DISCOVERY CENTER</b>, which is charged with the duty to care, preserve, and maintain the Deutsch Cacti Collection. Furthermore, the Trustee is required to provide the <b>CITY OF FRESNO</b> a 15-day notice before any principal distributions are made to the Discovery Center.</p> <p>Pursuant to <i>Declaration of Raymond A. Love Concerning Resignation and Recommendation of Trustee</i> (attached), Petitioner resigns effective appoint appointment of a successor trustee and recommends appointment of <b>GLORIA KOSBIE</b>, a licensed Certified Public Accountant and California licensed fiduciary (resume attached).</p> <p style="text-align: center;"><b><u>SEE PAGE 2</u></b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note: If the petition is granted and if bond is required, the Court will set status hearing on Friday 7-27-12 for proof of bond.</b></p>	
	<b>Aff.Sub.Wit.</b>			
✓	<b>Verified</b>			
	<b>Inventory</b>			
	<b>PTC</b>			
	<b>Not.Cred.</b>			
✓	<b>Notice of Hrg</b>			
✓	<b>Aff.Mail</b>			W
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>			
	<b>Conf. Screen</b>			
	<b>Letters</b>			
	<b>Duties/Supp</b>			
✓	<b>Objections</b>			
	<b>Video Receipt</b>			
	<b>CI Report</b>			
	<b>9202</b>			
✓	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
	<b>UCCJEA</b>			
	<b>Citation</b>			
	<b>FTB Notice</b>			

**Reviewed by:** skc

**Reviewed on:** 6-1-12

**Updates:**

**Recommendation:**

**File 1B – Wells Fargo**

**Page 2 of 3**

The attached Statement of Financial Position as of 9-30-11 reflects a total value of \$140,404.00. Petitioner requests that Ms. Kosbie be appointed without bond due to the relative small size of the trust, the continuing cost of furnishing bond, and the fact that Ms. Kosbie is a licensed CPA and licensed fiduciary, carrying her own professional liability insurance and business insurance. Consent to Act as Trustee signed by Ms. Kosbie was filed 4-17-12.

**Petitioner requests that:**

1. The Court appoint Gloria Kosbie as Successor Trustee of the Deutsch Park and Botanical Gardens Charitable Trust;
2. The Court determine that annual accountings be provided to the Fresno Discovery Center and to no other party;
3. The Court determine the amount of the bond, if any, that is required by the Successor Trustee under the circumstances; and
4. The Court make all further and proper orders that the Court may deem necessary.

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**Objection was filed 5-24-12 THE DISCOVERY CENTER (Gary Pigg, President) states:**

The Discovery Center does not oppose the decision of Petitioner to resign as trustee, but does oppose all other requests in the Petition. The Center is disappointed that he no longer wishes to serve, but understands it is a personal decision.

Objector notes that the reference to "Fresno Discovery Center" is incorrect. The Discovery Center is a California non-profit corporation and non-profit charitable organization under IRC §501 (c) (3), and is the sole beneficiary of the Deutsch Park Trust. The Center was established in 1954 as a non-profit entity for the purpose of providing an enriching hands-on education experience for school-age children in Fresno County, and relies entirely on donations for its support and continued functioning.

**Level of Funding:** The Center cannot continue to maintain the Deutsch Collection without the current minimum level of funding (approx. \$1,200/mo). Despite the fact that the income generated by the Trust's assets is far less than that amount, Mr. Love has been creative in his efforts to provide the necessary funding throughout his tenure as trustee.

There is nothing in the Petition that provides any assurance that the current level of funding would continue. If it does not continue, the Center does not have the resources to continue maintaining the Collection and might have no alternative but to abandon it, which would frustrate the wishes of the benefactor, Fred S. Deutsch, who established the Collection, and whose charitable gift made the display of the Collection possible.

**Bond:** Ever since the Court approved transfer of the Collection to the Center, there has been a court-ordered bond in place for the protection of the Center as sole beneficiary. The Center is very uncomfortable with the pending request to dispense with the requirement of a bond, which provides better protection for a beneficiary than professional liability insurance.

**Distant Trustee:** Mr. Love has worked well with the Center in providing support, in part because he is a local person with whom the Center can speak, in person if necessary, in discussing needs and problems in relation to the Collection. The Center has no way to know if Ms. Kosbie has the intention of providing a similar level of communication and support, and has misgivings about moving the trusteeship out of Fresno for that reason. Future communication with the trustee would necessarily become more difficult and less personal if a distant person were to succeed Mr. Love as trustee.

*Examiner notes that the address provided for Ms. Kosbie is a Sausalito, CA address.*

**SEE PAGE 3**

**Financial Accountings:** The Petition intimates, without actually stating, that the future trustee will provide financial accountings to the Center, but no details are given in the Petition or supporting declaration. Will the Center be furnished annually with a copy of Form 990 by the trustee in future years? How detailed an accounting does the trustee propose to give the Center concerning the investment of trust funds?

**Carry Value of Assets:** Petitioner's schedule reflects the carry value of the assets as of 9-30-11. Almost three calendar quarters have elapsed since that schedule was prepared. The Center and the Court should be provided the current carry value of the Trust's assets.

**The Discover Center opposes the Petition for the reasons stated above and respectfully asks the Court to deny it.**

Atty Bagdasarian, Gary G. (for Julia W. MacConochie and Alisa M. Tribbey – Co-Conservators)  
 Atty Teixeira, J. Stanley (Court Appointed for Conservatee)

(1) First Account and Report of Co Conservators of the Person and Estate; (2) Waiver of Conservator's Compensation; (3) for Payment of Attorney's Fees to the Attorney for the Co-Conservators; (4) for Costs Reimbursement and Delivery of Assets [Prob. C. 1060-1064; 1860; 2620; 2623; 2630; 2640 & 2642]

<b>DOD: 06/24/11</b>		<b>JULIA MACCONOCHIE and ALISA TRIBBEY, Co-Conservators, are Petitioners.</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		Account period: <b>08/17/10 – 06/24/11</b>		<b>CONTINUED FROM 05/08/12</b>	
<b>Cont. from 050812</b>		Accounting - <b>\$322,792.59</b> Beginning POH - <b>\$242,828.34</b> Ending POH - <b>\$242,920.07</b> (\$793.07 is cash)		1. Need Account statements for Conservatee's accounts for the end of the accounting periods pursuant to Probate Code § 2620(c). <b>Note: Account statements have been filed for 08/2010 (the beginning of the account period) but not for the ending of the account periods (06/24/11 &amp; 12/09/11)</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			2. The reimbursement of contributions to the conservatorship estate requested by Julia MacConochie includes the following items for which the court may require further information:	
<input checked="" type="checkbox"/>	<b>Verified</b>	Subsequent Account period: <b>06/25/11 – 12/09/11</b>		<del>-\$930.00 to Attorney Laura R. Spease (03/02/10 &amp; 03/03/10)</del> <del>-\$1,125.00 to Attorney J. Stanley Teixeira (06/17/10)</del> <del>-\$160.00 Legal documents (10/08/10)</del> <del>-\$591.39 to Gary Bagdasarian (10/09/10)</del> <del>-\$92.00 Tulare Co. Sheriff – Fingerprinting (11/16/10)</del> <del>-\$925.00 Westfall Appraisal (03/10/11)</del> <del>-\$742.68 postal expenses</del> <del>-\$1,478.02 travel expenditures</del> <del>-\$1,120.00 hotel expenditures</del>	
<input type="checkbox"/>	<b>Inventory</b>	Accounting - <b>\$250,095.52</b> Beginning POH - <b>\$242,920.07</b> Ending POH - <b>\$242,127.00</b> (\$0.00 is cash)			
<input type="checkbox"/>	<b>PTC</b>	Conservators - <b>waive</b>			
<input type="checkbox"/>	<b>Not.Cred.</b>	Conservator Julia MacConochie (reimbursement for contributions to the conservatorship estate) - <b>\$53,379.40</b> (for payment of taxes, maintenance of real properties of the conservatorship, payment of attorney's fees, conservatee's board and care expenses, postal expenses, and travel and hotel expenditures, <u>to be paid from the probate estate</u> )			
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Attorney - <b>\$19,375.00</b> (per declaration, broken down as follows: General – Creation of Conservatorship - \$8,100.00, Inventory & Appraisal - \$3,700.00, Sale of property (not completed) - \$4,350.00, and Accounting - \$3,225.00)			
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	Attorney Costs - <b>\$1,204.63</b> (Probate referee, filing fees, certified copies, recording fees)			
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<input checked="" type="checkbox"/>	<b>Order</b>				
<input type="checkbox"/>	<b>Aff. Posting</b>	<b>Petitioner prays for an order:</b>		<b>Reviewed by:</b> JF	
<input type="checkbox"/>	<b>Status Rpt</b>	1. Approving, allowing and settling the first and final account and the subsequent to the final account;		<b>Reviewed on:</b> 05/31/12	
<input type="checkbox"/>	<b>UCC/JEA</b>	2. Authorizing the attorney fees and costs reimbursement;		<b>Updates:</b> 06/05/12	
<input type="checkbox"/>	<b>Citation</b>	3. Authorizing Co-Conservators to deliver property remaining in their possession to the personal representative appointed for the Estate of Mildred G. Williams; and		<b>Recommendation:</b>	
<input type="checkbox"/>	<b>FTB Notice</b>	4. Discharging Petitioners as Co-Conservator of the Person upon filing of an Ex Parte Petition for Final Discharge and Order and their surety bond be exonerated.		<b>File 2 - Williams</b>	
		Continued on Page 2			

**Declaration of Gary G. Bagdasarian in Support of First Account and Report of Co-Conservators of the Person and Estate; Waivers of Conservators' compensation; for payment of Attorney's fees to the attorney for the co-conservators; for costs reimbursement and delivery of assets** filed 06/04/12, includes explanations and copies of receipts for the items listed in the Examiner Notes item 2.

**Need/Problems/Comments (Continued)**

3. The Declaration of Gary Bagdasarian filed 06/04/12 attaches receipts for postal expenses, travel expenditures, and hotel expenditures; however the declaration does not state why these charges were necessary and/or beneficial to the Conservatorship. The court may require further information.
4. The Schedule of Assets indicate that the Conservatee owned real property in Creston, San Luis Obispo County, CA, Applegate, Josephine County, Oregon, and Medford, Jackson County, Oregon and reflects expenditures from the Conservatee's assets for maintenance of these properties; however, there are no receipts showing income from rents or other income from these properties. The Court may require further information.

**Petition to Determine Succession to Real and Personal Property (Prob. C. 13151)**

<b>DOD: 5/9/2011</b>		<p><b>GABRIELA GUERRERO</b>, by her Guardian, <b>JULIETA GUERRERO</b>, is petitioner.</p> <p>40 days since DOD.</p> <p>No other proceedings.</p> <p>Decedent died intestate.</p> <p>I &amp; A – \$127,483.00 (see note #2)</p> <p><b>Petitioner requests</b> Court determination that decedent's interest in real and personal property pass to Gabriela Guerrero pursuant to intestate succession.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Note:</u> Gabriela is a four year old minor</p> <ol style="list-style-type: none"> <li>1. Fee waiver was denied on 2/15/12. Filing fee of \$395.00 and has not been paid for this petition. (<u>Note:</u> Filing fees are considered costs of administration and must be paid prior to property being distributed to beneficiaries.)</li> <li>2. Inventory and Appraisal was not signed by the Probate Referee as required.</li> <li>3. #9a(3) of the petition was not answered re: issue of predeceased child.</li> <li>4. Attachment 11 of the petition does not include the decedent's interest in the property.</li> </ol>	
Cont. from 121411, 020112, 021512, 032812, 042512				
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<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 6/1/12</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 3A - Guerrero</b></p>				

**3A**

**Petition for Waiver of Appraisal by Probate Referee and Statement of Cause**

<b>Age: 5/9/2011</b>  <b>Cont. from</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;"></td> <td style="width: 85%;"><b>Aff.Sub.Wit.</b></td> <td style="width: 10%;"></td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td><b>Verified</b></td> <td></td> </tr> <tr> <td></td> <td><b>Inventory</b></td> <td></td> </tr> <tr> <td></td> <td><b>PTC</b></td> <td></td> </tr> <tr> <td></td> <td><b>Not.Cred.</b></td> <td></td> </tr> <tr> <td></td> <td><b>Notice of Hrg</b></td> <td style="text-align: center;">X</td> </tr> <tr> <td></td> <td><b>Aff.Mail</b></td> <td style="text-align: center;">X</td> </tr> <tr> <td></td> <td><b>Aff.Pub.</b></td> <td></td> </tr> <tr> <td></td> <td><b>Sp.Ntc.</b></td> <td></td> </tr> <tr> <td></td> <td><b>Pers.Serv.</b></td> <td></td> </tr> <tr> <td></td> <td><b>Conf. Screen</b></td> <td></td> </tr> <tr> <td></td> <td><b>Letters</b></td> <td></td> </tr> <tr> <td></td> <td><b>Duties/Supp</b></td> <td></td> </tr> <tr> <td></td> <td><b>Objections</b></td> <td></td> </tr> <tr> <td></td> <td><b>Video Receipt</b></td> <td></td> </tr> <tr> <td></td> <td><b>CI Report</b></td> <td></td> </tr> <tr> <td></td> <td><b>9202</b></td> <td></td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td><b>Order</b></td> <td></td> </tr> <tr> <td></td> <td><b>Aff. Posting</b></td> <td></td> </tr> <tr> <td></td> <td><b>Status Rpt</b></td> <td></td> </tr> <tr> <td></td> <td><b>UCCJEA</b></td> <td></td> </tr> <tr> <td></td> <td><b>Citation</b></td> <td></td> </tr> <tr> <td></td> <td><b>FTB Notice</b></td> <td></td> </tr> </table>		<b>Aff.Sub.Wit.</b>		<input checked="" type="checkbox"/>	<b>Verified</b>			<b>Inventory</b>			<b>PTC</b>			<b>Not.Cred.</b>			<b>Notice of Hrg</b>	X		<b>Aff.Mail</b>	X		<b>Aff.Pub.</b>			<b>Sp.Ntc.</b>			<b>Pers.Serv.</b>			<b>Conf. Screen</b>			<b>Letters</b>			<b>Duties/Supp</b>			<b>Objections</b>			<b>Video Receipt</b>			<b>CI Report</b>			<b>9202</b>		<input checked="" type="checkbox"/>	<b>Order</b>			<b>Aff. Posting</b>			<b>Status Rpt</b>			<b>UCCJEA</b>			<b>Citation</b>			<b>FTB Notice</b>		<p><b>GABRIELA GUERRERO</b>, as Guardian of the estate of <b>JULIETA GUERRERO</b>, is petitioner.</p> <p>Petitioner states there is good cause to justify the court waiving appraisal by the probate referee.</p> <p><b>Wherefore, Petitioner prays for an Order:</b></p> <ol style="list-style-type: none"> <li>1. Waiving the appraisal by the probate referee in these proceedings for the administration of the decedent's estate.</li> </ol>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Petitioner states she is the acting personal representative of the estate. Need letters of Probate showing Petitioners appointment as personal representative.</li> <li>2. Petition states there is good cause to justify the court waiving appraisal by a probate referee in these proceedings on the grounds set forth in the Statement of Good Cause. There is not statement of good cause included in the petition.</li> <li>3. Need Notice of Hearing.</li> <li>4. Need proof of service of the Notice of Hearing on Julieta Guerrero, beneficiary.</li> <li>5. Court may require notice to be served on the Probate Referee pursuant to Probate Code §8903.</li> <li>6. Inventory and appraisal attached to the petition (completed by the petitioner and not the probate referee) deducts a creditor's claim in the amount of \$10,417.00. The inventory and appraisal should only include the property of the decedent on the date of death. Creditor's claims should not be listed on an inventory.</li> </ol> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td><b>Reviewed by: KT</b></td> </tr> <tr> <td><b>Reviewed on: 6/1/12</b></td> </tr> <tr> <td><b>Updates:</b></td> </tr> <tr> <td><b>Recommendation:</b></td> </tr> <tr> <td><b>File 3B - Guerrero</b></td> </tr> </table>	<b>Reviewed by: KT</b>	<b>Reviewed on: 6/1/12</b>	<b>Updates:</b>	<b>Recommendation:</b>	<b>File 3B - Guerrero</b>
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**3B**



Atty Markeson, Thomas A. (for Sherry Morris Begbie – Spouse/Petitioner)

Petition for Letters of Administration; Authorization to Administer Under IAEA  
(Prob. C. 8002, 10450)

DOD: 03/26/12		<b>SHERRY MORRIS BEGBIE</b> , surviving spouse, is Petitioner and requests appointment as Administrator with bond amount to be determined.  Full IAEA – OK  Decedent died intestate  Residence: Clovis Publication: The Business Journal	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <div style="text-align: center;"> <b>OFF CALENDAR</b>  <b>Request for Dismissal filed</b>  <b>06/05/12.</b> </div> <p><b>Note:</b> Petition requests that bond be set at an amount to be determined; however, Order submitted is marked that bond is not required and that all liquid funds be placed in a blocked account. An Order to Deposit Money into a Blocked Account was also provided by Petitioner.</p> <p><b>Note: If the Petition is granted, status hearings will be set as follows:</b></p> <ul style="list-style-type: none"> <li>• <b>Friday, November 2, 2012 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <u>and</u></li> <li>• <b>Friday, August 2, 2013 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>	
Cont. from 050912				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w/
<input checked="" type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.	<b>ESTIMATED VALUE OF THE ESTATE:</b> Personal property - \$175,000.00  Probate Referee: <b>RICK SMITH</b>	<div> <b>Reviewed by:</b> JF  <b>Reviewed on:</b> 05/31/12  <b>Updates:</b> 06/05/12  <b>Recommendation:</b>  <b>File 4 - Begbie</b> </div>	
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

**Atty**

**Krause Cota, Stephanie J (for Petitioner Jose Diaz )**

**Atty**

**Bagdasarian, Gary G. (for Competing Petitioner Julio Hinojosa)**

**Petition for Letters of Administration; Authorization to Administer Under IAEA**  
**(Prob. C. 8002, 10450)**

<b>DOD: 09/25/2011</b>		<b>JOSE DIAZ</b> , an interested party, is Petitioner and requests appointment as Administrator with bond to be determined.		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
				<b>Note:</b> Competing petition was filed on 05/07/2012 by decedent's son Julio Hinojosa and is set for hearing on 06/18/2012.	
		Full IAEA- o.k.			
<b>Cont. from</b>				1. Need name and date of death of decedent's parents per Local Rule 7.1.1D.  2. Need Letters  3. Need Duties and Liabilities of Personal Representative.	
	<b>Aff.Sub.Wit.</b>				
✓	<b>Verified</b>		Decedent died intestate		
	<b>Inventory</b>				
	<b>PTC</b>			4. Petition requests bond to be determined. Need estimated value of the estate.	
	<b>Not.Cred.</b>				
✓	<b>Notice of Hrg</b>	W	Residence: Fresno Publication: The Business Journal		
	<b>Aff.Mail</b>				
✓	<b>Aff.Pub.</b>			<b><u>Note:</u> If the petition is granted status hearings will be set as follows:</b>  <div style="margin-left: 40px;"> <b>• Friday, November 2, 2012 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <b><u>and</u></b>   <b>• Friday, August 2, 2013 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.         </div>	
	<b>Sp.Ntc.</b>				
	<b>Pers.Serv.</b>				
	<b>Conf. Screen</b>				
	<b>Letters</b>	x		Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.	
	<b>Duties/Supp</b>	x			
	<b>Objections</b>				
	<b>Video Receipt</b>				
	<b>CI Report</b>			<b>Reviewed by:</b> KT/LV <b>Reviewed on:</b> 05/31/2012 <b>Updates:</b> <b>Recommendation:</b> <b>File 5 - Hinojosa</b>	
	<b>9202</b>				
✓	<b>Order</b>		Probate Referee: Rick Smith		
	<b>Aff. Posting</b>				
	<b>Status Rpt</b>				
	<b>UCCJEA</b>				
	<b>Citation</b>				
	<b>FTB Notice</b>				

Atty Krause, Stefanie J., sole practitioner (for Petitioner Sylvia Holder)  
 Atty Flanigan, Philip M., sole practitioner (for Respondent Melissa C. Perryman)

## Spousal or Domestic Partner Property Petition (Prob. C. 13650)

DOD: 2/15/2012		SYLVIA HOLDER, surviving spouse, is Petitioner.		NEEDS/PROBLEMS/COMMENTS:	
		No other proceedings.			
Cont. from		Decedent died intestate.		<p>1. Petitioner provides two alternatives for distribution of the real property under Probate Code § 6401 (a) or (c) depending on whether the property is characterized as community or separate. Since Petitioner is alleging the property is community based upon the marriage and upon the use of community property funds for purchase, the Petitioner's alternative distribution allegations create uncertainty as to the initial title and to the circumstances under which the <i>Interspousal Transfer Deed</i> was signed in 2003, and as a result, create uncertainty as to the character of the real property. Need additional information regarding the reasons for said transfer of the subject real property in 2003 into Decedent's name alone in order for the Court to determine whether the real property is community or separate.</p> <p>2. <i>Petition</i> includes statements regarding previous distribution of personal property to Decedent's two children; however, <i>Petition</i> does not describe any personal property in Attachment 7(a) or 7(b), and it appears inappropriate to reference such personal property, thereby bringing it into consideration subject to this <i>Petition</i> and affecting the real property characterization and manner of distribution.</p>	
	Aff.Sub.Wit.				
✓	Verified	Petitioner states:			
	Inventory	<ul style="list-style-type: none"> <li>On the date of Decedent's death, Decedent was the record owner of the subject real property at 5530 W. Norwich Ave., Fresno, which was purchased jointly by Petitioner and Decedent in late 1994, with an amount not exceeding <b>\$500.00</b> (based on Petitioner's recollection, as bank records are no longer available) that was put down to purchase the property; this amount was paid out of the shared joint checking account of Petitioner and Decedent;</li> </ul>			
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
✓	Aff.Mail	W	/		
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.				
	Conf. Screen				
	Letters				
	Duties/Sup p	<ul style="list-style-type: none"> <li>Petitioner and Decedent were married on 2/4/1995, and throughout their marriage they used community property [funds] to pay the mortgage on the real property;</li> </ul>			
	Objections				
	Video Receipt				
	CI Report				
	9202	<ul style="list-style-type: none"> <li>In 2003, Petitioner and Decedent refinanced the property; at that time, Petitioner signed an <i>Interspousal Transfer Deed</i> stating the property was the sole and separate property of Decedent; however, the Deed also stated it was "<b>not a change in ownership</b> under Section 63 of the Revenue and Taxation Code" [<i>emphasis in Petition</i>];</li> </ul>			
✓	Order	<ul style="list-style-type: none"> <li>Petitioner did not understand when she signed the document nor at any time thereafter that she was potentially affecting her ownership interest in the real property;</li> </ul> <p>~Please see additional page~</p>			
	Aff. Posting			Reviewed by: LEG	
	Status Rpt			Reviewed on: 6/1/12	
	UCCJEA			Updates: 6/5/12	
	Citation			Recommendation:	
	FTB Notice			File 6 – Holder	

**Petitioner states, continued:**

- After the change in title, Petitioner and Decedent continued to pay the mortgage, taxes, etc., with community property [funds];
- Since community property was used to pay for the property, with the exception of the initial **\$500.00** purchase, Petitioner requests the Court confirm that Petitioner owned a  $\frac{1}{2}$  interest in the house at the time of Decedent's death, minus **\$250.00**;
- Under Probate Code § 6401(a), **100%** of Decedent's community property interest will go to Petitioner;
- Under Probate Code § 6401(c),  **$\frac{1}{3}$**  of Decedent's separate property belongs to his spouse (Petitioner), and  **$\frac{1}{3}$**  goes to each of Decedent's two children, **JEFFREY LEE HOLDER, JR.** and **MELISSA CHRISTINE PERRYMAN**; thus, the three beneficiaries will split **\$250.00**, which represents Decedent's  $\frac{1}{2}$  of the down payment on the real property;
- Since Petitioner already distributed many of Decedent's personal effects to his children, the value of which greatly exceeded **\$84.00** [which approximately represents  $\frac{1}{3}$  of \$250.00], Petitioner asks that the entire amount of Decedent's separate property interest be granted to Petitioner;

**Petitioner requests:** a determination that **100%** of Decedent's interest in the real property passed to her.

**Note:** Proposed order submitted by Petitioner finds that: (1) Court determines that  $\frac{1}{2}$  interest in real property located at 5530 Norwich Ave., Fresno, passes to Petitioner; and (2) Court confirms that  $\frac{1}{2}$  interest in the real property located at 5530 Norwich Ave., Fresno, belongs to Petitioner.

**Objection to Spousal or Domestic Partner Property Petition filed 6/4/2012 by Respondent MELISSA C. PERRYMAN, daughter, states:**

- Respondent admits the Petitioner is the surviving spouse of the Decedent; however, Respondent asserts that the subject real property which Petitioner contends passes to her as surviving spouse was the sole and separate property of the Decedent, and thus pursuant to the laws of intestate succession, Decedent's estate shall pass  $\frac{1}{3}$  to the surviving spouse and  $\frac{2}{3}$  to the surviving children of the Decedent;
- Decedent purchased the property from developer, Kaufman & Broad of Fresno on 12/28/1993, taking title as "Jeffrey L. Holder, Sr., an unmarried man" (please refer to Exhibit A);
- In 2003, Decedent refinanced the property, and at that time, Petitioner executed an interspousal deed transferring her interest in the property, if any, "for a valuable consideration" to "Jeffrey L. Holder, Sr., **a married man as his sole and separate property**" [emphasis in original] (please refer to Exhibit B);
- Additionally, the Deed of Trust recorded 6/23/2003 clearly states that the Decedent was the only borrower on the loan secured by the Deed of Trust (please refer to Exhibit C);
- Notwithstanding the above, now 9 years later and after Petitioner's husband has passed away, Petitioner incredulously claims that the property was in fact community property and she signed the interspousal deed without understanding that it might affect her interest in the property;
- Respondent submits that the evidence clearly establishes that the subject real property was the Decedent's sole and separate property, and thus the instant *Petition* must be denied.

**Respondent request the Court determine as follows: (1) That the real property located at 5530 W. Norwich Ave., Fresno, was the Decedent's sole and separate property; and (2) That the instant petition be denied in its entirety.**

**NEEDS/PROBLEMS/COMMENTS, for OBJECTOR:**

1. *Objection* refers to copies of deeds showing title to the real property attached as Exhibits A, B, and C; however, no such exhibits are attached.

**7A Doris MacDonell Frazer aka Doris M. Frazer (Estate) Case No. 12CEPR00377****Atty Arthur, Susan K. (for Theresa Barnard – daughter/Petitioner)****Atty Frazer, Glen Maura (pro per – daughter/competing Petitioner)****Amended Petition for Probate of Will and for Letters of Administration With Will  
Annexed; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)**

<b>DOD: 03/03/12</b>	<b>THERESA F. BARNARD</b> , daughter, is Petitioner and requests appointment as Administrator with Will Annexed with bond set at \$162,500.00.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>See page 7B for competing petition.</b>  <b>Note:</b> The named Executors have filed conditional declinations to serve on the condition that Theresa Barnard be appointed as Administrator with Will Annexed. Said declinations state that they will be withdrawn if Theresa Barnard shall at any time fail to continue to serve as administrator.  <b>Note:</b> If petition is granted, status hearings will be set as follows: <ul style="list-style-type: none"><li>• <b>October 5, 2012 for filing of the Inventory &amp; Appraisal</b></li><li>• <b>October 4, 2013 for filing of the First/Final Account and Petition for Distribution</b></li></ul> Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
<b>Cont. from</b>	Full IAEA – OK	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>	Will dated 02/13/87	
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	Residence: Fresno	
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	Publication: The Business Journal	
<input checked="" type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>	<b>Estimated Value of the Estate:</b>	
<input type="checkbox"/> <b>Conf. Screen</b>	Personal property- \$ 32,500.00	
<input checked="" type="checkbox"/> <b>Letters</b>	Real property - 130,000.00	
<input checked="" type="checkbox"/> <b>Duties/Supp</b>	<b>Total - \$162,500.00</b>	
<input type="checkbox"/> <b>Objections</b>	Probate Referee: <b>RICK SMITH</b>	
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 06/01/12
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 7A - Frazer</b>

**7A**

**7B Doris MacDonell Frazer aka Doris M. Frazer (Estate) Case No. 12CEPR00377**

Atty Arthur, Susan K. (for Theresa Barnard – daughter/competing Petitioner)

Atty Frazer, Glen Maura (pro per – daughter/Petitioner)

**Amended Petition for Probate of Will and for Letters of Administration With Will  
Annexed; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)**

<b>DOD: 03/03/12</b>		
<b>GLEN MAURA FRAZER</b> , daughter, is Petitioner and requests appointment as Administrator with Will Annexed without bond.		
Full IAEA – <b>NEED</b>		
Will dated 02/13/87		
Residence: Fresno Publication: <b>NEED</b>		
<b>Estimated Value of the Estate:</b> Personal property- \$ 10,000.00 Real property - 128,000.00 <b>Total - \$138,000.00</b>		
Probate Referee: <b>RICK SMITH</b>		
<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>See page 7A for competing petition.</b>  <b>Note:</b> The named Executors have filed conditional declinations to serve on the condition that Theresa Barnard be appointed as Administrator with Will Annexed. Said declinations state that they will be withdrawn if Theresa Barnard shall at any time fail to continue to serve as administrator.  <ol style="list-style-type: none"><li>1. Need Affidavit of Publication.</li><li>2. Petitioner is requesting to be appointed without bond because the Will waives bond; however, Petitioner is not a named Executor, therefore the Will's waiving of bond does not apply to Petitioner. Bond should be set at \$138,000.00.</li></ol> <b>Note:</b> If petition is granted, status hearings will be set as follows:  <ul style="list-style-type: none"><li>• <b>October 5, 2012 for filing of the Inventory &amp; Appraisal</b></li><li>• <b>October 4, 2013 for filing of the First/Final Account and Petition for Distribution</b></li></ul> Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.		
<b>Reviewed by:</b> JF		
<b>Reviewed on:</b> 06/01/12		
<b>Updates:</b>		
<b>Recommendation:</b>		
<b>File 7B – Frazer</b>		

<b>Cont. from</b>		
	<b>Aff.Sub.Wit.</b>	s/p
✓	<b>Verified</b>	
	<b>Inventory</b>	
	<b>PTC</b>	
	<b>Not.Cred.</b>	
✓	<b>Notice of Hrg</b>	
✓	<b>Aff.Mail</b>	w/o
	<b>Aff.Pub.</b>	x
	<b>Sp.Ntc.</b>	
	<b>Pers.Serv.</b>	
	<b>Conf. Screen</b>	
✓	<b>Letters</b>	
✓	<b>Duties/Supp</b>	
	<b>Objections</b>	
	<b>Video Receipt</b>	
	<b>CI Report</b>	
	<b>9202</b>	
✓	<b>Order</b>	
	<b>Aff. Posting</b>	
	<b>Status Rpt</b>	
	<b>UCCJEA</b>	
	<b>Citation</b>	
	<b>FTB Notice</b>	

**7B**

## Petition for Appointment of Probate Conservator of the Person and Estate (Prob. C. 1820, 1821, 2680-2682)

Age: 79 DOB: 06/30/32		<b>TEMPORARY EXPIRES 06/06/12</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<p><b>PUBLIC GUARDIAN</b>, is Petitioner and requests appointment as conservator of the person with medical consent powers and dementia powers to administer dementia medications and for placement in a secured perimeter facility; and for appointment as conservator of the estate without bond, with authority to sell the proposed conservatee's former residence, subject to court confirmation, and authority to sell the proposed conservatee's personal property no longer needed.</p> <p><b>Estimated Value of the Estate:</b>            Personal property - UNKNOWN            Annual income (Pension) - \$ 9,202.56            Annual income (SSA) - \$15,168.00  <b>Total annual income - \$24,370.56</b></p> <p>Voting rights affected.</p> <p><b>Petitioner states</b> the proposed conservatee had been residing in her own home. She has since been moved into one of her son's home. Although this appears to be adequate at the time, she has reportedly been physically violent with a recent care provider, most likely due to her dementia. In addition, there is conflict between two of her sons and another son. Further, the proposed conservatee requires assistance with managing her finances. The police are currently investigating an \$8,000.00 check that is missing and one of the sons recently recorded a quitclaim deed transferring ownership of one of the conservatee's homes to himself. The conservatee insists that she did not sign over her home to her son. If appointed as conservator, the Public Guardian would be able to marshal and protect the conservatee's assets and assist the police in the investigation of any misappropriated funds.</p> <p><b>Court Investigator Samantha Henson filed a report on 05/30/12.</b></p>		<p><b>Court Investigator Advised Rights on 05/29/12.</b></p> <p><b><u>Voting rights affected – Need Minute Order</u></b></p> <p><b>Note:</b> If petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> <li><b>October 5, 2012 for filing of the Inventory &amp; Appraisal</b></li> <li><b>October 4, 2013 for filing of the first account</b></li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>	
Cont. from					
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
✓	Aff.Mail				
	Aff.Pub.				
	Sp.Ntc.				
✓	Pers.Serv.				
	Conf. Screen				
✓	Letters				
	Duties/Supp				
	Objections				
	Video Receipt	n/a			
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
	UCCJEA				
✓	Citation				
	FTB Notice				

Atty CHESTER, BRUCE C., sole practitioner (for Petitioner Kevin A. Cornell)

## Spousal Property Petition (Prob. C. 13650)

<b>DOD: 9/25/2011</b>		<b>KEVIN A. CORNELL</b> , surviving spouse, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		No other proceedings.	
<b>Cont. from</b>		<b>Will dated 3/14/1991</b> devises entire estate to her spouse, Kevin A. Cornell.	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	W/O	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

**Petitioner states** the subject parcels of real property should pass to Petitioner because he is the surviving spouse of the Decedent, and all of the Decedent's property was given to Petitioner in the Decedent's last Will (copy attached as Attachment 4(c)). Petitioner also states the subject parcels of real property should be confirmed to Petitioner because such property represents Petitioner's ½ community property interest in the property, which was acquired by the Decedent and Petitioner with community property funds while they were married and domiciled in the state of California.

**Petitioner requests:**

1. Court determination that ½ **interest** in real property parcels located at: (a) 852 Carson Ave., Clovis; (b) 10134 N. Grouse Run, Fresno; (c) 897 E. Ridgecrest Drive, Fresno; (d) 12894 Anderson Road, Lower Lake, CA; and (e) 12896 Anderson Road, Lower Lake, CA, passes to her; and
2. Court confirmation that ½ **interest** in real property parcels located at: (a) 852 Carson Ave., Clovis; (b) 10134 N. Grouse Run, Fresno; (c) 897 E. Ridgecrest Drive, Fresno; (d) 12894 Anderson Road, Lower Lake, CA; and (e) 12896 Anderson Road, Lower Lake, CA, belongs to her.

<b>Reviewed by:</b> LEG
<b>Reviewed on:</b> 6/1/12
<b>Updates:</b>
<b>Recommendation:</b> SUBMITTED
<b>File 9 - Cornell</b>



## Probate Status Hearing Re: Filing of the Next Account

10

## Probate Status Hearing Re: Filing of Inventory and Appraisal

		<p><b>MYRNA M. BOWMAN</b> was appointed as conservator of the person and estate without bond on 9/28/11.</p> <p>Letters issued on 10/7/11.</p> <p>Inventory and appraisal filed on 4/11/12.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>Continued from 4/25/12. As of 5/31/12 the following issues remain:</p> <ol style="list-style-type: none"> <li>Inventory and Appraisal filed on 4/11/12 is defective as follows:             <ol style="list-style-type: none"> <li>It does not include the property tax certificate.</li> <li>Is not signed by the attorney.</li> <li>Assets (including money market account, real property, personal belongings and a sailboat) need to be appraised by the probate referee.</li> </ol> </li> </ol> <p>Need corrected Inventory and Appraisal.</p>
Cont. from 030712, 042512			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: KT	
		Reviewed on: 5/31/12	
		Updates:	
		Recommendation:	
		File 11 - Robbins	

Atty Mello, Elizabeth A., of Law Offices of Tina Barberi (for Julieta Guerrero, Guardian)

## Status Hearing

<b>Age: 5 years</b>	<b>JULIETA GUERRERO</b> , mother, was appointed Guardian of Estate without bond on 5/11/2012.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>DOB: 5/5/2007</b>		
<b>Cont. from</b>	<b>Petitioner requested</b> in her <i>Amended Petition for Appointment of Guardian</i> specific powers under Probate Code § 2590 to allow the guardian power to pay, collect, compromise, arbitrate or otherwise adjust claims, debts or demands upon the property, and to enter into contracts necessary for the maintenance of the property, among other powers.	<b>Please refer to related case on Pages 3A and 3B of this calendar.</b>
<b>Aff.Sub.Wit.</b>		<b>Note:</b> Petitioner is Spanish-speaking.
<b>Verified</b>		
<b>Inventory</b>		<b>Note:</b> It is unclear whether this status hearing was set for Petitioner's submission of an <i>Order Appointing Guardian of Minor</i> without the 2590 powers for the Court's signature, or whether the status hearing was set to coincide with the <i>Petition to Determine Succession</i> filed in the Estate of Cuauhtemoc Guerrero, the father of this minor (Page 3A and 3B of this calendar.)
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	<b>Minute Order dated 4/25/2012</b> from the hearing on the <i>Amended Petition for Appointment of Guardian</i> states:	
<b>Aff.Mail</b>	<ul style="list-style-type: none"> <li>Aurelli Guerrero is sworn and interprets for Julieta Guerrero and Magdalena Guerrero;</li> <li>The Court dispenses with further notice to the maternal grandmother unless and until a U.S. residence becomes known;</li> <li>The Court grants the petition subject to submission of the Judicial Council form <b>without the 2590 powers.</b></li> <li>Court set status hearing on 6/6/2012.</li> </ul>	
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>	<b>Order Appointing Guardian of Minor without the 2590 powers was signed on 5/11/2012.</b>	
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>	<b>Letters of Guardianship</b> have <b>not</b> issued to Julieta Guerrero as of 6/1/2012.	
<b>Aff. Posting</b>		<b>Reviewed by:</b> LEG
<b>Status Rpt</b>		<b>Reviewed on:</b> 6/1/12
<b>UCCJEA</b>		<b>Updates:</b>
<b>Citation</b>		<b>Recommendation:</b>
<b>FTB Notice</b>		<b>File 12 - Guerrero</b>

## Status Hearing Re: Filing of the First Account or Petition for Final Distribution

DOD: 7/11/10		<p>JONATHAN BEYER was appointed Administrator with full IAEA without bond on 9/15/10.</p> <p>Inventory and Appraisal filed 2/28/11 reflects a total estate value of \$353,473.00, including \$67,773.00 cash, real properties, a vehicle, furnishings and personal effects, and a sole proprietorship ("Boxcar Cafe").</p> <p>On 9/15/11, the court set a status hearing for filing of the first account or petition for final distribution for 11/9/11.</p> <p>Minute Order from 11/9/2011 states there were no appearances at the status hearing. The court set the matter for Order to Show Cause and ordered Jonathan Beyer to be present on 1/25/12 and have the first account filed.</p> <p>Minute Order from 1/25/12 state the Court dispenses with the Order to Show Cause. Mr. Beyer is directed to file a first account or petition for final distribution.</p> <p>On 1/25/12, Mr. Beyer appeared. The Court dispensed with the OSC and set further status hearing for filing a first account or petition for distribution on 3/14/12.</p> <p>On 3/14/12, there was no appearance and the Court set this second Order to Show Cause.</p> <p>On 4-25-12, the OSC was taken off calendar, and the Administrator was directed to file the First Account or Petition for Final Distribution.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Minute Order 4-25-12:</u> Examiner Notes provided to Administrator. Administrator requests a continuance. Matter continued to 6-6-12. The Court directs Administrator to file the First Account or Petition for Final Distribution by 6-6-12.</p> <p><u>As of 5-31-12, nothing further has been filed. The following issue remains:</u></p> <p>1. Need first account current or petition for final distribution.</p>
Cont. from 031412, 042512			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt	X		
UCCJEA			
Citation			
FTB Notice			

Reviewed by: skc
Reviewed on: 5-31-12
Updates:
Recommendation:
File 13 - Beyer

**Probate Status Hearing Re: First Account or Final Distribution**

<b>DOD: 9/17/2010</b>	<p><b>LEONOR BUEVARA DE BERRERA</b>  was appointed Administrator with full IAEA and without bond on 1/16/11.</p> <p>Minute Order dated 3/1/11 amended the order to allow only LIMITED IAEA authority.</p> <p>I &amp; A filed on 6/17/11 indicates the value of the estate is \$98,000.00 (all real property).</p> <p>First account or a petition for final distribution is now due.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>Continued from 4/25/12.</p> <p>1. Need current status report, first account or petition for final distribution.</p>				
Cont. from 031412, 042512						
Aff.Sub.Wit.						
Verified						
Inventory						
PTC						
Not.Cred.						
Notice of Hrg						
Aff.Mail						
Aff.Pub.						
Sp.Ntc.						
Pers.Serv.						
Conf. Screen						
Letters						
Duties/Supp						
Objections						
Video Receipt						
CI Report						
9202						
Order						
Aff. Posting						
Status Rpt						
UCCJEA						
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	<table border="1"> <tr> <td>Reviewed by: KT</td> </tr> <tr> <td>Reviewed on: 5/31/12</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 14A - Barrera</td> </tr> </table>	Reviewed by: KT	Reviewed on: 5/31/12	Updates:	Recommendation:	File 14A - Barrera
Reviewed by: KT						
Reviewed on: 5/31/12						
Updates:						
Recommendation:						
File 14A - Barrera						

**14A**

**Order to Show Cause**

<b>DOD: 9/17/2010</b>	<p><b>LEONOR BUEVARA DE BERRERA</b> was appointed Administrator with full IAEA and without bond on 1/16/11.</p> <p>Minute Order dated 3/1/11 amended the order to allow only LIMITED IAEA authority.</p> <p>I &amp; A filed on 6/17/11 indicates the value of the estate is \$98,000.00 (all real property).</p> <p>First account or a petition for final distribution is now due.</p> <p>This Order to show cause hearing was set after the Administrator, Leonor Barrera failed to appear at a status hearing (see page 14A). The Court orders Leonor Barrera to be present on 4/25/12. Ms. Berrera is directed to seek professional help if she is unable to prepare the accounting herself, or to contact the Probate Office for further information.</p> <p>The Order to Show Cause was signed on 4/26/12 and mailed to the Administrator on the same date.</p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from 042512</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		

**14B**

Age: 5 DOB: 10/06/06		<b>TEMPORARY EXPIRES 06/06/2012 – Granted by Judge Nunez</b>  <b>GENERAL HEARING 06/06/2012</b>  <b>ANA MARIA CASTRO</b> , non-relative, is Petitioner.  Father: <b>HECTOR ARNULFO MURILLO</b> , believed to be deceased, declaration of due diligence filed 04/17/2012. Court dispensed with Notice per minute order dated 04/19/2012.  Mother: <b>C. BRISA YUDITH PARRA</b> , declaration of due diligence filed 04/17/2012. Court dispensed with Notice per minute order dated 04/19/2012.  Paternal grandfather: Manuel Murillo Paternal grandmother: Ramona Murillo  Maternal grandfather: Unknown Paternal grandfather: Unknown  <b>Petitioner alleges:</b> Minor child has been living with the Petitioner since she was a year and a half. The Mother plotted to kill the child. The Father told the Petitioner to take the child and raise her as her own. Petitioner states that the Father was abducted, later a mutilated body was found and Petitioner was told the body was that of the Father. Mother is a prostitute and moves from town to town.  <b>DSS Investigator Jennifer Copper's report filed 05/31/2012.</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Note:</b> Petitioner is primarily Spanish speaking.  1. Need Notice of Hearing  2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of the notice or declaration of due diligence for: <ul style="list-style-type: none"> <li>• Manuel Murillo (Paternal grandfather)</li> <li>• Ramona Murillo (Paternal grandmother)</li> <li>• Maternal grandparents (Unknown)</li> </ul>																																																																						
<table border="1"> <tr><td colspan="3">Cont. from</td></tr> <tr><td></td><td>Aff.Sub.Wit.</td><td></td></tr> <tr><td>✓</td><td>Verified</td><td></td></tr> <tr><td></td><td>Inventory</td><td></td></tr> <tr><td></td><td>PTC</td><td></td></tr> <tr><td></td><td>Not.Cred.</td><td></td></tr> <tr><td></td><td>Notice of Hrg</td><td>x</td></tr> <tr><td></td><td>Aff.Mail</td><td></td></tr> <tr><td></td><td>Aff.Pub.</td><td></td></tr> <tr><td></td><td>Sp.Ntc.</td><td></td></tr> <tr><td></td><td>Pers.Serv.</td><td></td></tr> <tr><td>✓</td><td>Conf. Screen</td><td></td></tr> <tr><td>✓</td><td>Letters</td><td></td></tr> <tr><td>✓</td><td>Duties/Supp</td><td></td></tr> <tr><td></td><td>Objections</td><td></td></tr> <tr><td></td><td>Video Receipt</td><td></td></tr> <tr><td>✓</td><td>CI Report</td><td></td></tr> <tr><td></td><td>9202</td><td></td></tr> <tr><td>✓</td><td>Order</td><td></td></tr> <tr><td></td><td>Aff. Posting</td><td></td></tr> <tr><td></td><td>Status Rpt</td><td></td></tr> <tr><td>✓</td><td>UCCJEA</td><td></td></tr> <tr><td></td><td>Citation</td><td></td></tr> <tr><td></td><td>FTB Notice</td><td></td></tr> </table>				Cont. from				Aff.Sub.Wit.		✓	Verified			Inventory			PTC			Not.Cred.			Notice of Hrg	x		Aff.Mail			Aff.Pub.			Sp.Ntc.			Pers.Serv.		✓	Conf. Screen		✓	Letters		✓	Duties/Supp			Objections			Video Receipt		✓	CI Report			9202		✓	Order			Aff. Posting			Status Rpt		✓	UCCJEA			Citation		
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**Petition for Letters of Administration; Authorization to Administer Under IAEA  
(Prob. C. 8002, 10450)**

<b>DOD:05/28/2008</b>	<b>JACK NELSON</b> , son and sole heir is petitioner and requests appointment as Administrator without bond.		<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need Supplement to Duties and Liabilities per Local Rule 7.10.1.  2. #5a(3) of the Petition was not answered regarding registered domestic partner.  3. #5a(7) or 5a(8) was not answered regarding issue of predeceased child.  4. Signature on Duties and Liabilities is not dated.  <b>Note: If the petition is granted status hearings will be set as follows:</b>  • <b>Friday, November 2, 2012 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <u>and</u>  • <b>Friday, August 3, 2013 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.  Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
<b>Cont. from</b>			
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Full IAEA- o.k.		
<input checked="" type="checkbox"/> <b>Verified</b>			
<input type="checkbox"/> <b>Inventory</b>			
<input type="checkbox"/> <b>PTC</b>	Decedent died intestate.		
<input type="checkbox"/> <b>Not.Cred.</b>			
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	Residence: Fresno		
<input type="checkbox"/> <b>Aff.Mail</b>	Published: The Business Journal		
<input checked="" type="checkbox"/> <b>Aff.Pub.</b>			
<input type="checkbox"/> <b>Sp.Ntc.</b>			
<input type="checkbox"/> <b>Pers.Serv.</b>			
<input type="checkbox"/> <b>Conf. Screen</b>	<b>Estimated value of the Estate:</b>		
<input checked="" type="checkbox"/> <b>Letters</b>	Personal property: - \$500.00		
<input checked="" type="checkbox"/> <b>Duties/Supp</b>	Real property: - \$56,700.00		
<input type="checkbox"/> <b>Objections</b>	<b>Total: - \$56,700.00</b>		
<input type="checkbox"/> <b>Video Receipt</b>			
<input type="checkbox"/> <b>CI Report</b>			
<input type="checkbox"/> <b>9202</b>	Probate Referee: Steven Diebert		
<input checked="" type="checkbox"/> <b>Order</b>			
<input type="checkbox"/> <b>Aff. Posting</b>			
<input type="checkbox"/> <b>Status Rpt</b>			
<input type="checkbox"/> <b>UCCJEA</b>			
<input type="checkbox"/> <b>Citation</b>			
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